

## **MEETING MINUTES, PLANNING COMMISSION, OCTOBER 8, 2007**

**Present:** Phil Tinkle, Duane O'Neal, Bruce Armstrong, Tom McClain, Trent Pohlar, Bettina Settles, Carmen Madsen, Tom Bridges, Ed Ferguson, Planning Director; Shawna Koons-Davis, City Attorney; Janice Nix, Recording Secretary

The meeting was called to order at 7:00 p.m. by Trent Pohlar, President.

### **PREVIOUS MINUTES**

September 10<sup>th</sup> – Tinkle moved to approve the minutes as mailed, seconded by Madsen. Vote for **approval** was unanimous, 7-0. **Motion carried.**

Training Session, September 24<sup>th</sup> – Tinkle moved to approve the minutes as mailed, seconded by Settles. Vote for **approval** was unanimous, 7-0. **Motion carried.**

Commission member O'Neal arrived at this time.

### **NEW BUSINESS**

**Docket PC2007-050 – Secondary Plat – East County Line Rd. Commercial Park** - proposed commercial park located at the southeast corner of I-65 and County Line Rd. – approx. 104 acres zoned C-2 Commercial – Cabela's Inc., applicant; Schneider Engineering, representing.

Tom Bock, National Survey & Engineering; Gary Rimington, Cabela's; Amy Schneider, National Survey & Engineering; Jeff Nagel, Cities Edge Architects; and members of the audience were sworn.

The plat was presented for the Commission's review. Information for PC2007-050, 056 & 057 was combined and presented at this time. Each waiver and petition will be voted on separately however. Colored renderings of the proposed buildings and surrounding site areas were presented for the Commission's review. Cabela's will be located on Lot 2 and Splash Universe on Lot 3. The total acreage of the project is approximately 104 acres. There will be regional detention for the entire development. Splash Universe will be located on approximately 6 acres of the project. There will be loop drives around the building with a pedestrian connection between the proposed hotel and Cabela's. Cabela's will be located on approximately 21 acres of the project. There will be large parking spaces to provide parking for semis, rv's, trailers, etc., plus a corral and kennels for housing of animals while customers are shopping. Boat sales and display will be located on the north side of the building. There will be a boat storage yard, which will be enclosed, on the south side of the building. There will be vehicle circulation around the entire site, with truck deliveries on the south side of the building.

The floor was then opened for questions from the Commission. Tinkle inquired about the parking spaces for both Splash Universe and Cabela's – does the kennel and extra outside display areas take up some of the parking spaces or are they independent of the parking area? It was explained that those items are located in landscape areas, not parking areas. Settles inquired about the 3 plant species proposed that are not on the allowed list in the landscape ordinance. Amy Schneider, landscape architect, explained what type they are and how they will be utilized. O'Neal inquired about the pipeline easement that is mentioned in Tech Committee recommendation #14 – has it been obtained yet? It was explained that they are in negotiations with MCI (who utilizes the easement) at this time.

Tinkle moved to approve PC2007-050, subject to the recommendations of the Tech Committee being met, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Docket PC2007-056 – Site Plan – Splash Universe** – located at 1196 Cabela Drive – 5.9 acres zoned C-2 Commercial – Focus Hospitality Services, LLC, applicant; National Surveying and Engineering, representing.

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| Waiver(s) | 1) | Landscaping waiver – amount of plantings         |
|           | 2) | Landscaping waiver – percentage of planting area |

**Landscaping waiver – amount of plantings** – Tinkle moved that the request of Focus Hospitality Services, LLC for a waiver from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 1808(b)(2) Perimeter Landscaping Requirements, Figure 18.06. Parking Lot Perimeter, that specifies that the perimeter landscape strip shall include one tree and 3 small shrubs for every 35 linear feet, excluding vehicular access aisles, to permit planting 5 additional shade trees in the west and north perimeter landscape strips to make up for a deficit in the northeast perimeter landscape strip due to space limitation, **be approved** and that the Plan Commission find that Focus Hospitality Services, LLC **has met the criteria** set forth by Greenwood Municipal Code Sec. 10-472 (a) (4) for the waiver, as the site involves space limitations, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Landscaping waiver – percentage of planting area** - Tinkle moved that the request of Focus Hospitality Services, LLC for a waiver from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 18-08, Parking Lot Landscaping Requirements, section c. (1) Interior Parking Lot Landscaping Requirements, Figure 18-07. Parking Lot Interior Calculations., that specifies that for all parking lots 7,000 square feet or larger 8% of the total area must be an interior planting area, to permit 7.5% as the total interior planting area as the overall site green space exceeds the requirement by 15%, **be approved**, and that the Plan Commission find that Focus Hospitality Services, LLC **has met the criteria** set forth by Greenwood Municipal Code Sec. 10-472, 18-11 (a) (4) for the waiver, as the site involves space limitations, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Tinkle moved to approve PC2007-056, subject to the recommendations of the Tech Committee being met, and with approved waivers, seconded by Madsen. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Docket PC2007-057 – Site Plan – Cabela’s** – located at 1200 Cabela Drive – 20.9 acres zoned C-2 Commercial – Cabela’s Retail, Inc., applicant; National Surveying and Engineering, representing.

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| Waiver(s) | 1) | Parking lot interior calculations – landscape island   |
|           | 2) | Landscaping waiver - interior planting area percentage |
|           | 3) | Size and arrangement of parking spaces                 |

**Parking lot interior calculations – landscape island** – Settles moved that the request of Cabela’s Retail, Inc. for a waiver from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 18.08., Parking Lot Landscaping Requirements, section c.(4) Landscape Islands, Figure 18-07. Parking Lot Interior Calculations, that specifies that landscape islands with concrete curbs and at least 130 square feet of area shall be provided every 15 spaces or less within a row of spaces for commercial developments, to permit the maximum consecutive stall count to be expanded to a maximum of 18 consecutive stalls between landscape islands, **be approved**, and that the Plan Commission find that Cabela’s Retail, Inc. **has met the criteria** set forth by Greenwood Municipal Code Sec. 10-472, 18-11 (a) (1) for the waiver, as the site involves space limitations, seconded by Bridges. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Landscaping waiver – interior planting area percentage** – Settles moved that the request of Cabela's Retail, Inc. for a waiver from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 18-08., Parking Lot Landscaping Requirements, section c. (1) Interior Parking Lot Landscaping Requirements, Figure 18-07. Parking Lot Interior Calculations., that specifies that for all parking lots 7,000 square feet or larger 8% of the total area must be an interior planting area, to permit 7.2% as the total interior planting area as the overall site green space exceeds the landscaping requirement by 9%, **be approved**, and that the Plan Commission find that Cabela's Retail, Inc. **has met the criteria** set forth by Greenwood Municipal Code Sec 10-472, 18-11 (a) (1) for the waiver, as the site involves space limitations, seconded by Madsen. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Size and arrangement of parking space** – Tinkle moved that the request of Cabela's Retail, Inc. for a waiver from the requirement of Greenwood Municipal Code, Chapter 10, Article 6, "Supplementary District Regulations" Sec. 10-103, Parking Requirements 6.20.04, Size and Arrangement, that specifies nine (9) feet space width for 60 (sixty) degree angled parking to reduce the width to eight (8) feet for two rows of passenger vehicle parking spaces in the northern-most and southern-most parking area for employee parking, **be approved**, for cause shown by the Applicant in its presentation and as set forth in its written waiver request, seconded by Settles. Vote for **approval** was 7 for, 1 against (Armstrong). **Motion carried.**

Tinkle moved to approve PC2007-057, subject to the recommendations of the Tech Committee being met, and with approved waivers, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Right-of-Way Recommendation – McColgin Drive** – Recommendation to City Council.

Settles moved to find that the partial vacation of the platted public right-of-way known as McColgin Road in the City of Greenwood as proposed would not:

1. Hinder the growth or orderly development of the neighborhood in which it is located or to which it is contiguous;
2. Make access to the Cabela's/Splash Universe property by means of public way difficult or inconvenient;
3. Hinder the public's access to a church, school, or other public building or place; nor
4. Hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous;

that the Plan Commission recommend that the partial vacation of the approximately westernmost 1,000' of the platted McColgin Road right-of-way in the City of Greenwood be vacated as proposed; and to authorize the Plan Commission President to execute and deliver a memorandum regarding these findings and this recommendation to the Common Council in the Plan Commission's behalf, seconded by Madsen. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Docket PC2007-052 – Site Plan – Kroger Addition** – located at 3100 Meridian Parke Drive – 9.6 acres zoned C-2 Commercial – Kellams Enterprises, Inc., applicant; Franklin Engineering, representing.

Joe Van Valer, Van Valer Law Firm; Representatives of Kroger, Jack Kellams, Steve Williams, Franklin Engineering; and members of the audience were sworn.

This will be an expansion of the existing Kroger Store. Approximately 4 of the existing spaces in the shopping center will also be utilized for the expansion. The building will also be expanding to the west (rear) of the store. Sidewalks will be installed along SR 135. This project was originally approved and built under the county's jurisdiction.

O'Neal asked about entrance off of Meridian Parke Dr. - will it remain as is? He expressed concern about trucks entering and exiting out of this site. Williams stated there is no change proposed. Meridian Parke Drive is a public roadway, not a private drive.

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| Waiver(s) | 1) | parking lot landscape strips – width of strip      |
|           | 2) | parking lot landscape strips – number of plantings |
|           | 3) | interior planting area percentage                  |
|           | 4) | parking requirements – number of spaces            |
|           | 5) | stacking at drive-up window                        |

**Parking lot landscape strips – width of strip** – Tinkle moved that the request of Kellams Enterprises, Inc. for a waiver from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 18-08., Parking Lot Landscaping Requirements, section a. Landscape Strip Along the Right-of-Way, Figure 18.01 Parking Lot Landscaped Strip, that specifies that there shall be a minimum ten-foot wide strip between a right-of-way and the parking lot, to permit the reduction of the landscaped strip to five (5) feet, **be approved**, and that the Plan Commission find that Kellams Enterprises, Inc. **has met the criteria** set forth by Greenwood Municipal Code Sec 10-472, 18-11 (a) (1) for the waiver, as the site involves space limitations, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Parking lot landscape strips – number of plantings** – Tinkle moved that the request of Kellams Enterprises, Inc. for a waiver from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 18-08., Parking Lot Landscaping Requirements, section a. Landscape Strip Along the Right-of-Way, Figure 18.01 Parking Lot Landscaped Strip, that specifies that there shall be a minimum of one shade tree and 10 medium shrubs for every 35 linear feet of frontage (excluding driveway openings), to permit the reduction of the number of plants, **be approved**, and that the Plan Commission find that Kellams Enterprise, Inc. **has met the criteria** set forth by Greenwood Municipal Code Sec 10-472, 18-11 (a) (1) for the waiver, as the site involves space limitations, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Interior planting area percentage** – Tinkle moved that the request of Kellams Enterprises, Inc. for a waiver from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 18-08., Parking Lot Landscaping Requirements, section c. (1) Interior Parking Lot Landscaping Requirements, Figure 18-07. Parking Lot Interior Calculations., that specifies that for all parking lots 7,000 square feet or larger 8% of the total area must be an interior planting area, to permit 6% as the total interior planting area, **be approved**, and that the Plan Commission find that Kellams Enterprises, Inc. **has met the criteria** set forth by Greenwood Municipal Code Sec 10-472, 18-11 (a) (1) for the waiver, as the site involves space limitations, seconded by Madsen. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Parking requirements – number of spaces** – Tinkle moved that the request of Kellams Enterprises, Inc. for a waiver from the requirements of Greenwood Municipal Code, Chapter 10, Article 6, "Supplementary District Regulations" Sec. 10-103, Parking Requirements, 6.20.03, Uses and Number of Spaces, that specifies that a grocery store use shall have 1 parking space per 150 sq. ft. of floor area used for retail trade in the building to permit 1 parking space per 176 sq. ft. of retail trade floor area, **be approved**, for cause shown by the Applicant in its presentation and as set forth in its written waiver request, seconded by Bridges. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Stacking at drive-up window** – Tinkle moved that the request of Kellams Enterprises, Inc. for a waiver from the requirements of Greenwood Municipal Code, Chapter 10, Article 6, "Supplementary District Regulations" Sec. 10-103, Parking Requirements, 6.20.12, Off-Street Parking/Stacking for Drive-Up Windows, that specifies that there shall be a minimum of 5 parking/stacking spaces for drive-up windows to reduce the minimum parking/stacking spaces in the proposed drive-up window to 3, **be approved**, for cause shown by the Applicant in its presentation and as set forth in its written waiver request, seconded by Madsen. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Paul Peoni asked that an additional comment be added to the Tech Committee recommendations as follows: 9. Sidewalk easement shall be submitted for BPWS acceptance.

Settles moved to approve PC2007-052, subject to the recommendations of the Tech Committee being met, as amended, and with approved waivers, seconded by Madsen. Vote for **approval** was unanimous, 8-0. **Motion carried.**

**Docket PC2007-053 – Site Plan – Ace Hardware & Shops** – located at 2100 Independence Drive – 2.838 acres zoned C-2 Commercial – KOVACS Enterprises, LLC, applicant; KOE Engineering, representing.

Joe Meyer, KOE Engineering; and Rick Kovacs, KOVACS Enterprises, LLC; came forward and were sworn. The site plan and renderings were presented for review.

Waiver                      1)              landscaping within Drainage/Utility Easement

**Landscaping within Drainage/Utility Easement waiver** – Tinkle moved that the request of KOVACS, Enterprises, LLC for a waiver from the requirements of the Greenwood Landscape Ordinance, Greenwood Municipal Code Article 18. Landscaping Requirements, Sec. 10-472, Subsection 18-06 General Landscaping Requirements, section q., that specifies that no tree or shrub be planted with a drainage, sewer, or utility easement, to permit planting within drainage, sewer or utility easements, **be approved**, and that the Plan Commission find that KOVACS Enterprises, LLC **has met the criteria** set forth by Greenwood Municipal Code Sec. 10-472, 18-11 (a) (5) for the waiver, as existing utility easements complicate the placement of required plant material subject to the approval of the Board of Public Works and Safety, seconded by Settles. Vote for **approval** was unanimous, 8-0. **Motion carried.**

Settles moved to approve PC2007-053, subject to the recommendations of the Tech Committee being met, and with the approved waiver, seconded by Tinkle. Vote for **approval** was unanimous, 8-0. **Motion carried.**

#### **ANNOUNCEMENTS/REPORTS**

2008 meeting schedule – Madsen moved to approve the 2008 meeting schedule, seconded by Tinkle. Vote for **approval** was unanimous, 8-0. **Motion carried.**

O'Neal moved to adjourn, seconded by Madsen. Meeting was adjourned at 8:21 p.m.

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JANICE NIX  
Recording Secretary

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TRENT POHLAR  
President